IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

TINEKA S. FLEMING,)	
)	
Plaintiff,)	
)	
VS.)	CIVIL ACTION NO. 05-0439-P-C
)	
JO ANNE B. BARNHART, Commissioner)	
of Social Security,)	
·)	
Defendant.)	
JUD	<u>OGMENT</u>	

In accordance with this court's Order entered this date, it is hereby ORDERED, ADJUDGED, and DECREED that this action is hereby REMANDED to the Social Security Administration, pursuant to sentence four of 42 U.S.C. § 405(g), see Melkonyan v. Sullivan, 501 U.S. 89 (1991), for further administrative proceedings consistent with this opinion (see doc.12, p.1-2).

This Remand pursuant to sentence four of § 405(g), makes plaintiff a prevailing party under the Equal Access to Justice Act, 28 U.S.C. § 2412, see Shalala v. Schaefer, 509 U.S. 292 (1993), and terminates this court's jurisdiction over the matter.

DONE the 13th day of February, 2006.

S/Virgil Pittman
SENIOR UNITED STATES DISTRICT JUDGE